

1 JOHN L. MARSHALL (Cal. Bar No. 145570)
JORDAN C. KAHN (Cal. Bar No. 197133)
2 TAHOE REGIONAL PLANNING AGENCY
P.O. BOX 5310
3 Stateline, Nevada 89449
Telephone: (775) 588-4547
4 Facsimile: (775) 588-4527

5 Attorneys for Plaintiff,
TAHOE REGIONAL PLANNING AGENCY

6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9

10 TAHOE REGIONAL PLANNING AGENCY,) Case No.: CIV.S-04-0675 WBS DAD
11)
Plaintiff,) TRPA'S NOTICE OF SETTLEMENT AND
12) REQUEST FOR DISMISSAL; [PROPOSED]
vs.) ORDER THEREON
13)
MICHAEL FRANKLIN,)
14)
Defendant.)
15)
_____)

16 On April 27, 2005, the Governing Board of the Plaintiff Tahoe Regional Planning
17 Agency ("TRPA") approved the Settlement Agreement attached hereto as Exhibit A. This
18 Settlement Agreement was the product of an April 12, 2005, Settlement Conference conducted
19 by the honorable Magistrate Judge Dale A. Drozd. As agreed upon by TRPA and Defendant
20 Michael Franklin at the Settlement Conference, and as set forth in the attached Settlement
21 Agreement, this Court and Judge Drozd in particular will retain continuing jurisdiction to enforce
22 the terms of the attached Settlement Agreement. With this understanding, TRPA respectfully
23 requests that this Court dismiss the above-entitled action.
24

Respectfully submitted,

Dated: April 28, 2005.

TAHOE REGIONAL PLANNING AGENCY

By: /s/-Jordan Kahn

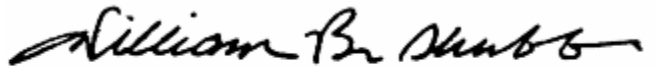
John L. Marshall
Jordan C. Kahn

Attorneys for Plaintiff,
Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, Nevada 89449

ORDER

Good cause being shown, the above-captioned matter is hereby dismissed. This Court, and the Honorable Magistrate Judge Dale A. Drozd in particular, will retain continuing jurisdiction to enforce the terms of the Settlement Agreement attached as Exhibit A hereto. IT IS SO ORDERED.

Date: April 28, 2005



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

RE: TRPA v. FRANKLIN

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA
CASE NO. CIV-S-04-0675 WBS (DAD)

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am over 18 years of age and am not a party to the above-entitled action. I am an employee of the Tahoe Regional Planning Agency, and my business address is P.O. Box 5310, Stateline, Nevada 89449. On the 28th day of April, 2005, I caused to be sent by U.S. mail a true and correct copy of the following documents:

TRPA'S NOTICE OF SETTLEMENT AND REQUEST FOR DISMISSAL; [PROPOSED]
ORDER THEREON

addressed to the following parties:

Michael Franklin
P.O. Box 137
Homewood, CA 96141

I declare under penalty of perjury that the foregoing is true and correct. Executed at
Stateline, Nevada, on April 28, 2005.

/s/ -- Sara Urch
Sara Urch
Tahoe Regional Planning Agency